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April 8, 2009

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REPLY TO:
NEWARK

Hon Katherine S. Hayden
Judge of the United States District Court
U.S.P.O. Cthse. Bldg. Room 311
Newark 07101-0999

RE: Request for Adjournment of Sentencing
United States v. Eddie Gilbert
Shed. Sentencing: 4/15/09 @ 10:00 A.M.

Dear Judge Hayden:

I am writing to respectfully request an adjournment of the above sentencing hearing.

For the past three weeks, I have been engaged in a murder trial in the matter of *State of New Jersey v. Ademir Ramalho* (Union Co Superior Court; Hon. James Heimlich, J.S.C.). The trial involves an insanity defense and has gone longer than expected due to, inter alia, my client's suicide attempt on 4/5/09, during trial requiring a delay in the proceedings. We are scheduled to resume trial on 4/13/09 and it is not anticipated that the jury will even be charged until 4/15/09. Because of this continuing trial, I will be unavailable on 4/15.

Due to this trial, counsel has also failed to submit a written sentencing memorandum on behalf of Mr. Gilbert. Counsel believes that such a memorandum is necessary for effective representation at sentencing. Mr. Gilbert and his family are somewhat dissatisfied with my representation and the plea agreement I negotiated.

In addition, Mr. Gilbert has expressed a desire to meet with the government before being sentenced. I have conferred with A.U.S.A. Robert Frazier and he does not oppose this request.

Respectfully submitted,
BY: John D. Caruso
JOHN D. CARUSO, ESQ.

*Request GRANTED.
Sentencing is scheduled for
April 27, 2009 at 2:00pm.
No further adjournments will be granted.
SO ORDERED
4/14/09

Katherine S. Hayden
Katherine S. Hayden USDT